

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2861 OF 2006
IN
FIRST APPEAL NO.1448 OF 2006

Gangadhar N. Kathe & Ors. ...Applicants
V/s.
Laxman T. Khetade, Deceased,
Thru' Suresh Laxman Khetade & Ors. ...Respondents

Mr.T.N. Sonawane, Advocate, h/b. Mr.M.M. Satheye for
the Applicants.

Mr.P.B. Shah and Ms.Smita Mane, Advocates, for
Respondent No.2.

CORAM : J.N. PATEL &
A.A. SAYED, JJ.

DATE : 18TH JUNE, 2007.

P.C. :

1. The learned Counsel for the Applicant submits that as the Applicant is in possession of the property, which was the subject matter of the suit for specific performance, he may be granted injunction in terms of prayer clause (a).

2. In the Civil Application, we find that in the given facts and circumstances, the Applicant is entitled for interim injunction. Therefore, the Civil Application is allowed. There will be an interim injunction in terms of prayer clause (a) until further

orders.

3. This First Appeal be heard alongwith First Appeal No.516 of 2006 which is filed by Respondent No.2.

[J.N. PATEL, J.]

[A.A. SAYED, J.]